



Honorable Linda B. Riegle
United States Bankruptcy Judge

Entered on Docket
January 30, 2012

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Granting Motion to Amend
Orders Re The Fiesta Oak Valley Loan**

**Hearing Date: January 19, 2012
Hearing Time: 10:00 a.m.**

The Motion to Amend Orders Related to the Fiesta Oak Valley Loan [DE 9576] came before the Court on January 19, 2012. The Court previously sustained the USACM Liquidating Trust's ("USACM Trust") Omnibus Objections Related to the Fiesta Oak Valley Loan Claims, and thus disallowed 80% and allowed 20% of each Fiesta Oak Valley claim. As to the Proofs of Claim listed on **Exhibit A** the claims were allowed in an "unknown" amount. The Motion asks that the Court amend the Orders Sustaining the Objections to the Fifth, Sixth and Tenth Omnibus Objections Based Upon Investment in the Fiesta Oak Valley Loan [DE 9471, 9472, 9476] so that allowed amounts shown as "unknown" are replaced with the a specific dollar amount as shown on **Exhibit A**,



1 Appropriate notice of the Motion and Amendment having been given, no responses having
2 been filed and good cause appearing,

3 **IT IS ORDERED:**

4 1. The Motion [DE 9576] is granted; and
5 2. The Court's orders sustaining the Fifth, Sixth and Tenth Omnibus
6 Objections Based Upon Investment in the Fiesta Oak Valley Loan [DE 9471, 9472, 9476]
7 are amended as shown on **Exhibit A** attached.

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10
11 By /s/ John Hinderaker (AZ #018024)
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26 *Attorneys for USACM Liquidating Trust*



LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

 This Court has waived the requirement set forth in LR 9021(b)(1).

xxxx No party appeared at the hearing or filed an objection to the motion.

 I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

 I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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Claim #	Name and Address of Claimant	DE # For the Order to Be Amended	Claim Amount Related to the Investment	Amount Disallowed (80%)	Amount Allowed (20%)
10725-02444	Acosta, Ruth 2546 General Armistead Ave Norristown, PA 19403	[9471] Fifth Omnibus	0.00	0.00	0.00
10725-01892	Dalton Trust DTD 1/7/94 C/O Bert A Stevenson Trustee 500 N Estrella Pkwy. Ste B2 405 Goodyear, AZ 85338-4135	[9471] Fifth Omnibus	60,000.00	48,000.00	12,000.00
10725-01632	Johnson JT Ten, Charles E & Janet P 17 Front St Palm Coast, FL 32137-1453	[9472] Sixth Omnibus	100,000.00	80,000.00	20,000.00
10725-01178	Leonard & Barbara Baker Revocable Trust C/O Leonard & Barbara Baker Co- Trustees 6106 Ohio Drive Apt. 1410 Plano, TX 75024	[9472] Sixth Omnibus	50,0000	40,00.00	10,000.00
10725-02089	Ulm, Robert W 414 Morning Glory Rd St Marys, GA 31558	[9476] Tenth Omnibus	50,000.00	40,000.00	10,000.00
10725-01283	X Factor Inc 4012 South Rainbow Blvd. Suite D92 Las Vegas, NV 89103-2010	[9476] Tenth Omnibus	150,000.00	120,000.00	30,000.00